

STATE ETHICS COMMISSION

205 Jesse Hill Jr. Drive S.E.
Suite 478 – East Tower
Atlanta, Georgia 30334
www.ethics.georgia.gov

AGENDA

LOCATION: State Capitol
Room 341
Atlanta, Georgia 30334

DATE: November 30, 2006

TIME: 10:00 a.m.

REGULAR MEETING

Meeting Called to Order

Reading and Approval of the Minutes of:

- September 21, 2006 Meeting A
- October 5, 2006 Meeting B
- October 23, 2006 C

Preliminary Hearings

In the Matter of Terry Coleman (2005-0012)	D
In the Matter of Roy E. Barnes (2005-0015)	E
In the Matter of Patricia Dooley (2005-0019)	F
In the Matter of Citizens to Elect Kasim Reed (2005-0017)	G
In the Matter of Committee to Elect Rob Teilhet (2005-0018)	H

In the Matter of Friends of Calvin Smyre (2005-0020)	I
In the Matter of Kathy Ashe for the State House (2005-0021)	J
In the Matter of Phil Summers (2004-0084)	K
In the Matter of UHS Pruitt (2005-0005)	L
In the Matter of Gerald Greene (2005-0008)	M
In the Matter of Paul Smith (2005-0011)	N
In the Matter of Gloria Kay Godwin (2005-0013)	O
In the Matter of Friends of David Adelman (2005-0014)	P
In the Matter of GA Conservation Voters Action Fund (2005-0016)	Q
In the Matter of Horace M. Bond, II (2005-0023)	R
In the Matter of Kenneth B. Hodges (2005-0025)	S
In the Matter of Felix Moring (2005-0030)	T
In the Matter of Democratic Party of GA (2005-0009) (CONT'D)	U

Other Business

Request for Finding of Probable Cause	V
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Reports & Announcements

Comments from the Attorney General's Office
Report of the Executive Secretary
Report on the Hiring of Deputy Executive Secretary
Future Commission Meeting Date

STATE ETHICS COMMISSION

Commission Meeting Minutes

November 30, 2006

State Capitol

Room 341

Atlanta, Georgia

Present:

Jack Williams, Chairman
Steve Farrow, Vice Chairman
Emmett Bowers, Member
William H. Jordan, Member
Sonny Watson, Member

The meeting commenced at approximately 10:05 a.m.

REGULAR MEETING

Motion was made to waive the reading of the September 21, 2006, October 5, 2006, and October 23, 2006 meetings.

Motion made by Mr. Bowers
Carried Unanimously

Seconded by Mr. Watson

The minutes of the September 21, 2006, October 5, 2006, and October 23, 2006 meetings were approved as presented.

Motion made by Mr. Watson
Carried Unanimously

Seconded by Mr. Jordan

PRELIMINARY HEARINGS

IN THE MATTER OF TERRY COLEMAN

CASE NO. 2005-0012

The Commission found that there were no reasonable grounds to believe that the Ethics in Government Act had been violated, and the matter was dismissed.

Moved by: Mr. Bowers
Carried Unanimously

Seconded by: Mr. Jordan

IN THE MATTER OF ROY E. BARNES

CASE NO. 2005-0015

The Commission found that there were no reasonable grounds to believe that the Ethics in Government Act had been violated, and the matter was dismissed.

Moved by: Mr. Farrow
Carried Unanimously

Seconded by: Mr. Jordan

IN THE MATTER OF PATRICIA DOOLEY

CASE NO. 2005-0019

Motion was made to dismiss allegation that the Respondent violated the Ethics in Government Act by contributing to a political party to defray ordinary and necessary expenses.

Moved by: Mr. Williams
Carried Unanimously

Seconded by: Mr. Watson

Motion was made to dismiss the allegation that the Respondent violated the Ethics in Government Act by contributing to a PAC.

Moved by: Mr. Bowers
Carried Unanimously

Seconded by: Mr. Watson

IN THE MATTER OF CITIZENS TO ELECT KASIM REED

CASE NO. 2005-0017

The Commission found that there were no reasonable grounds to believe that the Ethics in Government Act had been violated, and the matter was dismissed.

Moved by: Mr. Bowers
Carried Unanimously

Seconded by: Mr. Watson

IN THE MATTER OF COMMITTEE TO ELECT ROB TEILHET

CASE NO. 2005-0018

The Commission found that there were no reasonable grounds to believe that the Ethics in Government Act had been violated, and the matter was dismissed.

Moved by: Mr. Jordan
Carried Unanimously

Seconded by: Mr. Bowers

IN THE MATTER OF FRIENDS OF CALVIN SMYRE

CASE NO. 2005-0020

The Commission found that there were no reasonable grounds to believe that the Ethics in Government Act had been violated, and the matter was dismissed.

Moved by: Mr. Bowers
Carried Unanimously

Seconded by: Mr. Watson

IN THE MATTER OF KAHTY ASHE FOR THE STATE HOUSE

CASE NO. 2005-0021

The Commission found that there were no reasonable grounds to believe that the Ethics in Government Act had been violated, and the matter was dismissed.

Moved by: Mr. Farrow
Carried Unanimously

Seconded by: Mr. Bowers

IN THE MATTER OF PHIL SUMMERS

CASE NO. 2004-0084

Motion was made to dismiss the allegation that the Respondent violated O.C.G.A. 45-10-1 et. seq. due to lack of jurisdiction in the matter.

Moved by: Mr. Farrow
Carried Unanimously

Seconded by: Mr. Jordan

Motion was made to dismiss the allegation that the Respondent violated the Ethics in Government Act by directly contributing to his campaign as a person acting on behalf of an agency.

Moved by: Mr. Farrow

Seconded by: Mr. Bowers

Mr. Farrow withdrew his aforementioned motion and made a new motion finding reasonable grounds to believe that the Respondent had violated the Ethics in Government Act by directly contributing to his campaign as a person acting on behalf of an agency. This matter was set down for an Administrative hearing.

Moved by: Mr. Williams
In Favor: Mr. Williams, Mr. Jordan, Mr. Farrow, Mr. Watson
Opposed: Mr. Bowers
The motion carried.

Seconded by: Mr. Jordan

Motion was made to dismiss the allegation that the Respondent submitted incorrect financial information in his Personal Financial Disclosure Reports.

Moved by: Mr. Watson
Carried Unanimously

Seconded by: Mr. Farrow

Motion was made to dismiss the allegation that the Respondent distributed and published political campaign literatures without proper disclosure of the organization due to lack of subject matter jurisdiction.

Moved by: Mr. Farrow
Carried Unanimously

Seconded by: Mr. Watson

IN THE MATTER OF UHS PRUITT

CASE NO. 2005-0084

The Commission adopted a Consent Order finding violations and assessing civil penalties in the amount of Six Thousand Eight Hundred Seventy Five dollars (\$6875.00).

Moved by: Mr. Bowers
Carried Unanimously

Seconded by: Mr. Farrow

IN THE MATTER OF GERALD GREENE

CASE NO. 2005-0008

The Commission found that there were no reasonable grounds to believe that the Ethics in Government Act had been violated, and the matter was dismissed.

Moved by: Mr. Bowers
Carried Unanimously

Seconded by: Mr. Farrow

IN THE MATTER OF PAUL SMITH

CASE NO. 2005-0011

The Commission found that there were no reasonable grounds to believe that the Ethics in Government Act had been violated, and the matter was dismissed.

Moved by: Mr. Bowers
Carried Unanimously

Seconded by: Mr. Watson

IN THE MATTER OF GLORIA KAY GODWIN

CASE NO. 2005-0013

Motion was made to dismiss the allegation that the Respondent was paid as a lobbyist in the State Legislature in 2004 without registering as a lobbyist.

Moved by: Mr. Jordan
Carried Unanimously

Seconded by: Mr. Bowers

Motion was made to dismiss the allegation that the Respondent acted as a lobbyist without registering as a lobbyist.

Moved by: Mr. Williams
Carried Unanimously

Seconded by: Mr. Bowers

Motion was made to dismiss the allegation that the Respondent did not itemize expenditures on Campaign Contribution Disclosure Reports for the year 2004.

Moved by: Mr. Bowers
Carried Unanimously

Seconded by: Mr. Farrow

Motion was made to dismiss the allegations that the Respondent used campaign contributions for personal use.

Moved by: Mr. Bowers
Carried Unanimously

Seconded by: Mr. Farrow

Motion was made to dismiss the allegation that the Respondent failed to disclose the occupation of the contributors.

Moved by: Mr. Farrow
Carried Unanimously

Seconded by: Mr. Jordan

Motion was made to dismiss the allegation that the Respondent failed to disclose the address for expenditures.

Moved by: Mr. Jordan
Carried Unanimously

Seconded by: Mr. Bowers

Motion was made to dismiss the allegation that the Respondent failed to itemize and disclose addresses on the September 2004 Campaign Contribution Disclosure Report.

Moved by: Mr. Williams
Carried Unanimously

Seconded by: Mr. Bowers

Motion was made to dismiss the allegation that the Respondent used campaign funds for personal use.

Moved by: Mr. Williams
Carried Unanimously

Seconded by: Mr. Bowers

IN THE MATTER OF FRIENDS OF DAVID ADELMAN CASE NO. 2005-0014

Motion was made to dismiss the allegation that the Respondent used campaign funds for personal use.

Moved by: Mr. Jordan
Carried Unanimously

Seconded by: Mr. Bowers

Motion was made to dismiss the allegation that the Respondent did not itemize expenditures in the March 2004 Campaign Contribution Disclosure Report.

Moved by: Mr. Bowers
Carried Unanimously

Seconded by: Mr. Watson

Motion was made to dismiss the allegation that the Respondent violated the Ethics in Government Act by making a contribution to a PAC.

Moved by: Mr. Jordan
Carried Unanimously

Seconded by: Mr. Bowers

Motion was made to dismiss the allegation that the Respondent listed a contribution as an expenditure to an account maintained by a political party.

Moved by: Mr. Jordan
Carried Unanimously

Seconded by: Mr. Bowers

IN THE MATTER OF GA CONSERVATION VOTERS ACTION FUND

CASE NO. 2005-0016

The Commission found that there were no reasonable grounds to believe that the Ethics in Government Act had been violated, and the matter was dismissed.

Moved by: Mr. Farrow
Carried Unanimously

Seconded by: Mr. Watson

IN THE MATTER OF HORACE M. BOND, II

CASE NO. 2005-0023

The Commission found reasonable grounds to believe that a violation occurred by the Respondent failing to timely file the Campaign Contribution Disclosure Report and failing to file a Personal Financial Disclosure Report. This matter was set down for an Administrative hearing.

Moved by: Mr. Bowers
Carried Unanimously

Seconded by: Mr. Jordan

IN THE MATTER OF KENNETH B. HODGES

CASE NO. 2005-0025

Motion was made to dismiss the allegation that the Respondent used campaign funds for personal use.

Moved by: Mr. Williams
Carried Unanimously

Seconded by: Mr. Farrow

Motion was made to lay the voting on the allegation about failing to disclose all loans and loan repayments in the Campaign Contribution Disclosure Report to balance the campaign account on the table to allow the staff and Respondent time to work on this matter.

Moved by: Mr. Bowers
Carried Unanimously

Seconded by: Mr. Farrow

IN THE MATTER OF FELIX MORING

CASE NO. 2005-0030

The Commission found that there were no reasonable grounds to believe that the Ethics in Government Act had been violated, and the matter was dismissed.

Moved by: Mr. Jordan
Carried Unanimously

Seconded by: Mr. Farrow

This matter was continued due to the request of the Commission staff.

OTHER BUSINESS

REQUEST FOR FINDING OF PROBABLE CAUSE

The Commission found probable cause to open an investigation in the matter of Comprehensive Health Management, Inc. (CHMI) to determine whether there were reasonable grounds to believe that the Ethics in Government Act had been violated.

Moved by Mr. Jordan
Carried Unanimously

Seconded by Mr. Bowers

The Commission adopted a Consent Order finding violations and assessing civil penalties in the amount of Eight Thousand Nine Hundred dollars (\$8,900.00) and statutory late filing fees of Two Hundred Twenty Five dollars (\$225.00).

Moved by Mr. Bowers
Carried Unanimously

Seconded by Mr. Farrow

Motion was made to amend the agenda to hear a previously tabled matter of Arthur Ferdinand, Case No. 2004-0090, by the request of the Executive Secretary, Mr. Rick Thompson.

Moved by Mr. Williams
Carried Unanimously

Seconded by Mr. Farrow

Motion was made to dismiss the matter of **Arthur Ferdinand, Case No. 2004-0090**, because all the amendments were filed and corrected the previous omissions according to the rules and regulations outlined in the Ethics in Government Act.

Moved by Mr. Williams
Carried Unanimously

Seconded by Mr. Farrow

COMMENTS FROM THE ATTORNEY GENERAL'S OFFICE

There were no comments from the Attorney General's Office.

REPORT OF THE EXECUTIVE SECRETARY

The Executive Secretary reported following:

- The Commission staff has been advised that they will move to the 14th floor of West Tower during either February or March.
- Late filing fees notices were send out for June 30, 2006 filing date. The Commission has received \$43,000.00 and shows outstanding balance of \$113,200.00 from the late filing fees invoices.
- The Commission has filled the position of second auditor, and welcomes Christina Benton as a new employee.

REPORT ON THE HIRING OF DEPUTY EXECUTIVE SECRETARY

Mr. Williams announced that the Commission closed the application period and will begin to review the applicants for the hiring of a Deputy Executive Secretary. The review of the applicants will be done by sub-committee members - Mr. Williams, Mr. Jordan and Mr. Thompson – to hire the Deputy Executive Secretary by 1st of the year.

FUTURE MEETING DATE

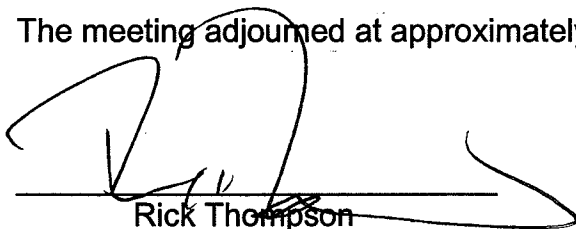
The Commission set **February 1, 2007** as the next meeting date following the November 30, 2006 meeting.

The Motion was made to adjourn the meeting.

Motion made by Mr. Farrow

Seconded by Mr. Watson

The meeting adjourned at approximately 11:30 a.m.




Rick Thompson
Executive Secretary

Official Minutes Statement

The foregoing Minutes for the November 30, 2006 meeting for the State Ethics Commission were approved and adopted by the Commission at the Commission's meeting on February 1, 2007.

STATE ETHICS COMMISSION

By:


Chairman